

**Membership Balance Plan**  
**Board of Visitors, National Defense University**

**Agency:** Department of Defense (DoD)

- 1. Authority:** The Secretary of Defense, pursuant to the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d) (Agency Authority), established the Board of Visitors, National Defense University (hereinafter referred to as “the Board”).
- 2. Mission/Function:** The Board, under the provisions of the FACA, shall provide independent advice and recommendations on the overall management and governance of the National Defense University and its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world. The Board shall report to the Secretary of Defense and the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff (CJCS) and the President of the National Defense University. The CJCS may act upon the Board’s advice and recommendations.

**Points of View:** The Board shall be comprised of no more than 12 members with extensive professional experience in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development. The Department has found that viewing the complex issues facing the National Defense University through a multidiscipline advisory committee provides the Department and, more importantly, the American public with a broader understanding on which to base subsequent policy decisions.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and to serve as special government employees.

The CJCS may invite other distinguished Government officers to serve as non-voting observers of the Board. In addition, the CJCS may appoint consultants, with special expertise, to assist the Board on an ad hoc basis, who shall be, if approved by the Secretary of Defense, appointed under the authority of 5 U.S.C. § 3109. The non-voting observers and the experts/consultants shall not have voting rights on the Board or its subcommittees, shall not count toward the Board’s total membership, and shall not engage in Board deliberations.

The Board’s membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Board’s sponsor. In addition, the Department, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

- 3. Other Balance Factors:** N/A

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- 4. Candidate Identification Process:** The National Defense University, in selecting potential candidates for this Board, reviews the educational and professional credentials of individuals with extensive backgrounds in the areas of primary interest to the National Defense University. Potential candidates are identified by the National Defense University community, including existing Board members, and in some instances based upon discussions with other professionals. Nominations may be requested through the Federal Register, websites, and from all geographical locations within the United States or its Territories.

Once potential candidates are identified, the President, National Defense University, in consultation with the Board's Designated Federal Officer, reviews the credentials of each individual and narrows the list of potential candidates. During the President's review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the anticipated subject matters that will be reviewed by the Board to achieve expertise in points of view regarding anticipated topics.

After the list of candidates has been narrowed, it is forwarded to the CJCS for review and formal nomination to the Secretary of Defense. Prior to nominating the potential candidates, the list of candidates will undergo a review by the Department of Defense Office of General Counsel (DoD OGC) and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements; for example, compliance with the advisory committee's charter and membership balance plan. Following this review, the CJCS formally nominates the potential candidates to the Secretary of Defense for approval; pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the DoD.

The Secretary of Defense may approve the appointment of Board members for one- to four- year terms of service, with annual renewals; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees for the Board.

Following the Secretary of Defense or Deputy Secretary of Defense's approval, the approved candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Board and subcommittee member vacancies will be filled in the same manner as described in the previous four paragraphs above.

- 5. Subcommittee Balance:** The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as Board appointments are made. These individuals may

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come from the parent committee or may be new nominees, as recommended by the Board's sponsor and based upon the subject matters under consideration.

As required by the Board's charter, these subcommittees operate under the provisions of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies/procedures.

- 6. Other:** The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's prohibition against registered Federal lobbyists.

- 7. Prepared:** August 30, 2012